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April 12, 2006

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# TRANSMITTAL SHEET

To:

Attention: Examiner Son T. Nguyen, Art Unit 3643

Mail Stop Amendment Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

From: David J. McGruder

Re:

United States Patent Application No. 10/642293
Filed 18 August 2003 for PLANT GROWING MACHINE
Inventor(s): MARCHILDON, Ted
Applicant: Ted Marchildon and Betty Storey
Our File O120 0009

Attached are:

Transmittal Form PTO/SB/21 Response to Office Action

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NO. OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 9

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Application Number 10/642 293 10/642.293 TRANSMITTAL Filing Date August 18, 2003 First Named Inventor **FORM** Ted MARCHILDON Art Unit 3643 Examiner Name Son T. Nguyen (to be used for all correspondence after initial filing) Attorney Docket Number O120 0009 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Roply Brief) Petition Amendment/Reply Petition to Convert to a After Final Proprietary Information Provisional Application Power of Allomay, Revocation Affidavits/declaration(s) Change of Correspondence Address Status Letter Other Enclosure(s) (please identify Terminal Disclaimer Extension of Time Request below): Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 97 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name OYEN WIGGS GREEN & MUTALA LLP, 480-The Station, 601 West Cordova St., Vancouver, BC, Canada, V6B 1G1 Signature Printed name David J. McGruder Date Reg. No. April 12, 2006 32,375 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature

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David J. McGruder

Typed or printed name

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David J. McGruder-Regn. No. 32,375

O120 0009 DJM/ctr

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## IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Inventor(s):

MARCHILDON, Ted

Title:

PLANT GROWING MACHINE

Serial No.:

10/642293

Filed:

18 August 2003

Examiner:

Son T. Nguyen

Art Unit:

3643

Date:

April 12, 2006

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

#### **RESPONSE TO OFFICE ACTION**

In response to the Office Action of January 20, 2006, please amend this application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.